

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA

v.

JOSE LUIS MATUTE-DUARTE

No. 1:25-cr-00053-SDN

PROSECUTION VERSION OF THE OFFENSE

On about March 10, 2025, in the District of Maine, the defendant, Jose Luis Matute-Duarte, an alien, was found in the United States of America after having been removed therefrom on about May 18, 2015, at Harlingen, Texas, and not having obtained the express consent of the Secretary of the U.S. Department of Homeland Security to reapply for admission to the United States of America, in violation of Title 8, United States Code, Section 1326(a).

In this regard, on March 10, 2025, at approximately 12:38 p.m., U.S. Border Patrol Agent Jeffrey Rankin stopped at a convenience store in Brownville, Maine. While walking towards the store, Agent Rankin saw the Defendant, who immediately looked down at the ground and avoided eye contact with the agent. After coming out of the store, Agent Rankin saw that the Defendant was now in the driver's seat of a pick-up truck with his hood up over his head. Based on prior information, as well as his observations, the agent approached the pick-up truck and tapped on the window. In response, the Defendant opened the driver's side door.

Agent Rankin identified himself as a Border Patrol agent and asked the Defendant how he was doing. The Defendant replied: "Good." Agent Rankin asked him

where he was from. The Defendant said: “New Jersey.” The agent then asked him what country he was a citizen of. The Defendant then said that he did not speak a lot of English. Agent Rankin asked the Defendant in the Spanish language what country he was a citizen of, and the Defendant said Honduras. When asked if he was in the United States illegally, the Defendant said he “did not want to answer that.”

The agent asked the Defendant if he had any identification on him, and the Defendant produced a New Jersey driver’s license in his name with his picture on it. The agent asked the Defendant if he was in the United States illegally, and he said yes.

Immigration records show that the Defendant first illegally entered the United States from Mexico and was arrested in Texas in 2015. The Defendant was removed on May 18, 2015, in Harlingen, Texas, to Honduras. The Defendant did not obtain the express consent of the Secretary of the U.S. Department of Homeland Security to reapply for admission to the United States.

Had this case proceeded to trial, the Government would have offered the testimony of the agents involved in the investigation and the specific events described above. The Government would have also introduced in evidence immigration records showing that the Defendant had been removed from the United States. The Government would have offered in evidence the Defendant’s statements to the agent. The evidence would have been sufficient to prove beyond a reasonable doubt the charge contained in the Information.

Dated: March 31, 2025

/s/ **Alisa Ross**

Alisa Ross
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2025, I electronically filed the Government's Prosecution Version of the Offense with the Clerk of Court using the CM/ECF system, which will send notification of such filing(s) to the following:

Matthew Erickson, Esq.
Counsel for the Defendant

Respectfully submitted,

CRAIG M. WOLFF
Acting United States Attorney

BY: /s/ **Alisa Ross**
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